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# Message Text

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ACTION EUR-12

INFO OCT-01 NEA-10 ISO-00 CIAE-00 DODE-00 PM-05 H-01
INR-10 L-03 NSAE-00 NSC-05 PA-01 SP-02 SS-15
ICA-11 COME-00 EB-08 LAB-04 SIL-01 HA-05 /094 W
----------032638 102137Z /13
R 101410Z AUG 78
FM AMEMBASSY THE HAGUE
TO SECSTATE WASHDC 3139
INFO AMEMBASSY RABAT
EC COLLECTIVE

C O N F I D E N T I A L SECTION 1 OF 2 THE HAGUE 4450

E.O. 11652: GDS
TAGS: PINT, ELAB, SHUM, NL, MO
SUBJECT: DUTCH DIFFICULTIES WITH ILLEGAL MOROCCAN WORKERS

1. SUMMARY: THE DUTCH GOVERNMENT RECENTLY ORDERED THE EXPULSION OF THE MOROCCAN WORKERS FOUND TO BE IN THE NETHERLANDS ILLEGALLY. THE ORDER SPARKED OFF A FUROR WHICH ALIGNED HUMAN RIGHTS ACTIVITIS WITH POLITICAL ELEMENTS CRITICAL OF THE MOROCCAN GOVERNMENT. THE GOVERNMENT HAS NOW POSTPONED CARRYING OUT THE EXPULSION. END SUMMARY.

2. BACKGROUND-APPROXIMATELY 4,500 MOROCCANS WORK LEGALLY IN THE NETHERLANDS. SEVERAL HUNDRED OTHERS WHO HAD ENTERED THE COUNTRY ILLEGALLY OVER THE YEARS WERE REQUIRED BY THE JUSTICE MINISTRY IN 1975 TO SHOW EVIDENCE OF EMPLOYMENT AND REGULARIZE THEIR STATUS OR TO DEPART. MORE THAN 180 WERE UNABLE TO COME UP WITH EMPLOYMENT PAPERS BECAUSE THEY HAD BEEN ILLEGALLY EMPLOYED BY FIRMS WHICH HAD NOT MADE THE REQUIRED HEAVY SOCIAL SECURITY PAYMENTS; THESE FIRMS REFUSED TO CONFIRM THEIR EMPLOYMENT OF THE MOROCCANS BECAUSE THEY WOULD THEN HAVE BEEN LIABLE FOR RETROACTIVE PAYMENT OF THE SOCIAL SECURITY CONTRIBUTIONS. 62 OF THE MOROCCANS DEPARTED BUT THE OTHER 120 APPEALED. THEIR
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APPEALS WERE CONSIDERED OVER THE NEXT THREE YEARS UNTIL THE COUNCIL OF STATE (HIGHEST ADMINISTRATIVE COURT) A FEW WEEKS AGO FOUND NO REASON TO REQUIRE AN EXCEPTION IN THEIR CASES. STATE SECRETARY OF JUSTICE HAARS (CDA) LAST WEEK REAFFIRMED THE GOVERNMENT'S DECISION TO EXPEL THEM.

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3. PROBLEM-NOT ONLY DO THE MOROCCAN WORKERS APPEAR
TO HAVE BEEN LEFT IN THE LURCH BETWEEN EMPLOYERS AND
GOVERNMENT BECAUSE OF THEIR ILLEGAL STATUS, BUT ALSO
SOME OF THEM HAVE REASON TO EXPECT POLICE ACTION UPON
THEIR RETURN TO MOROCCO. WE HAVE BEEN TOLD BY THE MFA
OFFICIAL FOR MOROCCAN AFFAIRS THAT SOME OF
THE GROUP HAD TAKEN PART AT VARIOUS TIMES IN DEMONSTRATIONS
AND ACTIONS AGAINST CONDITIONS IN MOROCCO. HE SAID THAT
MOROCCAN AUTHORITIES HAVE NOT GIVEN ASSURANCES THAT
RETURNING MOROCCANS WOULD NOT BE PROSECUTED FOR ACTIVITIES
AGAINST THE MOROCCAN GOVERNMENT WHILE IN THE NETHERLANDS
ALTHOUGH THEY HAVE SAID THAT MERE ILLEGAL ENTRY ABROAD
ITSELF WOULD NOT BE PROSECUTED. A MOROCCAN EMBASSY
SPONSORED CULTURAL ORGANIZATION "AMICALES" WHICH
CLAIMS THE MAJORITY OF MOROCCANS IN THE NETHERLANDS AS
MEMBERS, IF BELIEVED TO HAVE REPORTED ON THE WORKERS'
ACTIVITIES, ACCORDING TO THE OFFICIAL.

4. DOMESTIC ELEMENTS-THE NALDING OF THIS SITUATION
HAS PRESENTED A DILEMMA TO THE DUTCH. ON THE ONE HAND,
THERE IS A SEGMENT OF THE PUBLIC WHICH APPEARS TO WANT
THE PROBLEM OF ILLEGAL WORKERS TO BE CLEARED UP. SOME
2,500 ILLEGAL WORKERS FROM VARIOUS COUNTRIES WERE
DISCOVERED IN 1975, AND MOST OF THEM HAVE BEEN REQUIRED
TO DEPART. YET DUTCH ELEMENTS CRITICAL OF THE GOVERNMENT
IN MOROCCO AND OTHERS MORE ORIENTED TO HUMAN RIGHTS
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PRESSED THE GOVERNMENT THREE YEARS AGO TO AGREE TO AN
APPEAL OF THE DECISION ON THE MOROCCANS. THE SAME
ELEMENTS HAVE NOW LED TO THE CAMPAIGN TO FORCE MRS. HAARS
TO RESCIND HERE DECISION. A GROUP OF HUNGER STRIKERS IS
MAINTAINING A VIGIL TO PROTEST THE EXPULSION. THE
LARGEST TRADE UNION FEDERATION, FNV, HAS BEEN CAUTIOUS
IN ITS PUBLIC COMMENTS AND HAS BEEN MORE CRITICAL OF
THE EMPLOYERS OF THE MOROCCANS THAN OF THE WORKERS. THE
FEDERATION'S SPOKESMAN SAID THE UNION DID NOT WISH TO
SPECIFY ITS ATTITUDE TOWARD THE MOROCCAN GOVERNMENT
OTHER THAN TO DEPLORE ITS LACK OF DEMOCRACY, BUT CALLED
FOR FURTHER STUDY OF THE POSSIBILITY THAT THE WORKERS
WOULD BE PROSECUTED UPON RETURN TO MOROCCO. JUST AS THE
FNV, A LABOR PARTY SECOND CHAMBER SPOKESMAN



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C O N F I D E N T I A L SECTION 2 OF 2 THE HAGUE 4450

(MRS. INEKE HAAS-BERGER) EXPRESSED THE PARTY'S GENERAL AGREEMENT WITH THE LEGAL BASIS FOR SENDING AWAY THE WORKERS, BUT CALLED FOR FURTHER INVESTIGATION. THE NETHERLANDS ORGANIZATION FOR INTERNATIONAL COOPERATION FOR DEVELOPMENT (NOVIB), A SEMI-GOVERNMENT ADVISORY BODY WITH A MODERATELY LEFTIST REPUTATION, HAS CALLED FOR PERMISSION FOR THE WORKERS TO STAY AND HAS CONTRIBUTED MONEY ($2,300) TO THE HUNGER STRIKERS. DUTCH LAWYER WILLEM VAN BENNEKOM, WHO UNSUCCESSFULLY DEFENDED THE EXPULSION ORDER OF AMCIT PHILIP AGEE EARLIER THIS YEAR, HAS CALLED FOR AN APPEAL TO THE QUEEN. SOME CHRISTIAN DEMOCRATIC MEMBERS OF PARLIAMENT (CDA) HAVE CALLED FOR A DELAY, THUS SPEAKING OUT AGAINST THE DECISION OF THE CDA STATE SECRETARY, AND THE LAST STRAW WAS THE ANNOUNCEMENT AUGUST 9 BY THE CDA AND VVD PARLIAMENTARY GROUPS THAT THEY HAD ASKED HAARS TO SUSPEND HER DECISION. LATER THAT DAY, SHE COMPLIED BY POSTPONING THE EXPULSION UNTIL THE COUNCIL OF STATE FINISHES ITS CONSIDERATION OF ADDITIONAL INFORMATION INCLUDING STATEMENTS BY AMNESTY INTERNATIONAL THAT THE WORKERS WILL BE PROSECUTED IF RETURNED TO MOROCCO.

5. COMMENT. THE FACT THAT THIS FUROR IS TAKING PLACE
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IN THE NORMALLY ACTIONLESS SUMMER PROBABLY ACCOUNTS FOR SOME OF THE NOISE, BUT THE INCIDENT ALSO SERVES TO ILLUSTRATE SEVERAL OF THE ELEMENTS WHICH ARE IN PLAY ON INTERNATIONAL POLITICAL ISSUES IN THE NETHERLANDS. THOSE ELEMENTS ARE THE DESIRE FOR ORDER AND CONSISTENCY (VERY STRONG IN THE NETHERLANDS), CONCERN FOR THE UNDERDOG (STRONG FACTOR), HUMAN RIGHTS (A MAJOR

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ELEMENT), AND OPPOSITION TO NON-DEMOCRATIC GOVERNMENTS
(PARTICULARLY STRONG FROM CENTER AND LEFT OF POLITICAL
SPECTRUM). IT ALSO ILLUSTRATES HOW THE MEDIA IN THE
NETHERLANDS CAN BE USED TO SUPPORT PARTICULAR CAUSES.
THIS GROUP OF MOROCCAN WORKERS HAS BEEN FACING AN EXPULSION
ORDER SINCE 1975, BUT VARIOUS POLITICAL AND RELIGIOUS
GROUPS HAVE BEEN ABLE TO GAIN ENOUGH PUBLIC ATTENTION TO CAUSE
THE GOVERNMENT TO AGREE TO POSTPONE ITS ACTION. BECAUSE THAT
PUBLIC ATTENTION HAS TEMPORARILY PREVENTED THE WORKERS'
EXPULSION, IT IS NOW UNLIKELY THAT THE GOVERNMENT WILL
FACE UP TO THE PUBLIC OUTCRY WHICH WOULD RESULT FROM
A FINAL ORDER OF EXPULSION.
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